



Seyfarth Shaw LLP

620 Eighth Avenue

New York, New York 10018

T (212) 218-5500

F (212) 218-5526

hwexler@seyfarth.com

T (212) 218-3332

www.seyfarth.com

November 1, 2022

The Hon. Ann M. Donnelly
United States District Court Judge
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Gutierrez v. Carter's, Inc., et al.* Case No.: 1:22-cv-03234-AMD-RLM

Dear Judge Donnelly:

We represent Defendant Carter's Retail, Inc. (improperly identified in the caption and Amended Complaint as Carter's, Inc.) ("Carter's" or "Defendant") in the above-referenced matter.

In accordance with Rule 2(F) of Your Honor's Individual Rules, we write with the consent of Plaintiff's counsel to respectfully request an adjournment of the November 8, 2022 pre-motion conference. The reason for this request is that the undersigned now has a conflict based on a family medical issue that requires my attention during the entirety of the day on November 8th. The parties have conferred and are available on the following days for a reschedule conference should Your Honor be available: November 21st, 23rd or 29th.

We thank Your Honor for your consideration of this request and apologize for any inconvenience.

Respectfully submitted,

SEYFARTH SHAW LLP

/s/ *Howard Wexler*

Howard Wexler

cc: All Counsel of Record (via ECF)